

UNITED STATES DISTRICT COURT
for the

Western District of North Carolina

United States of America)

v.)

Bruce Jerome Browder)

Date of Previous Judgment: 8/30/06)

(Use Date of Last Amended Judgment if Applicable))

Case No: 1:05CR238-1

USM No: 18898-058

Chiege O. Kalu Okwara

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months **is reduced to** _____.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: _____

Amended Offense Level: _____

Criminal History Category: _____

Criminal History Category: _____

Previous Guideline Range: _____ to _____ months

Amended Guideline Range: _____ to _____ months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ Other (explain): _____

III. ADDITIONAL COMMENTS

The defendant is eligible for a two-level decrease in the base offense level due to the retroactive crack cocaine amendment. However, this does not effect the total offense level as the defendant was found to be a career offender, and the resulting offense level is higher than that for the quantity of cocaine base for which the defendant is responsible. As

Except as provided above, all provisions of the judgment dated 8/30/06 shall remain in effect.

IT IS SO ORDERED.

Order Date: September 17, 2008

Effective Date: _____
(if different from order date)



Lacy H. Thornburg
United States District Judge

